

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIFTEENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE C.Y.SOMAYAJULU

WRIT PETITION No. 2578 of 2005

Between:

P.Ramakrishnam Raju s/o Late Marrie Raju
Paradeshipalem, Markavalasa(V) Chinakadiri Rural(M)

Visakhapatnam district.

..... PETITIONER

AND

- 1 The District Collector, visakhapatnam
- 2 The Mandal Revenue Officer Chinakadiri Rural(M)
Visakhapatnam district.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue a writ or direction preferable writ of Mandamus directing the in action of the respondents in not finalizing the request of the petitioner for assignment of the land which is in possession of the petitioner to an extent of Ac. 0.25 cents in sy.No.174/2 situated at paradeshipalem(V) Chinakadiri Rural(M) Visakhapatnam District, despite representations dt. 28/05/2004 and 03/02/2003 and trying to dispossess the petitioner from the land without initiating any proceedings as illegal, arbitrary and violative of principles of natural justice and consequently direct the respondents to consider and dispose of the representations submitted by the petitioner dt. 28/05/2004 and 03/02/2003 for assignment of patta, and pass such other or further orders as this Hon'ble Court deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.KOWTURU VINAYA KUMAR

Counsel for the Respondent Nos.1 and 2: GP FOR REVENUE

The Court at the stage of admission made the following:

ORDER:

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The case of the petitioner is that he is in possession and enjoyment of Ac.0.25 cents in Sy.No.174/2 of Paradesipalem village, Chinakadiri Rural Mandal of Visakhapatnam District from 1980 onwards and had submitted representations on 28.05.2004 and 03.02.2003 to the respondents seeking assignment of the said land and that the respondents without considering the said representations are trying to dispossess him from the said land and assign the same to third parties without following due process of law and so a direction may be given to the respondents to pass appropriate orders on the representations dated 28.05.2004 and 03.02.2003 and meanwhile direct the respondents not to interfere with his possession over the said land pending final orders on his representations.

Perusal of the material available on record, reveals that the petitioner made representations to the respondents on 28.05.204 and 03.02.2003 seeking assignment of Ac.0.25 cents in Sy.No.174/2 of Paradesipalem village. The respondents have to pass appropriate orders on the said representations, keeping in view the eligibility of the petitioner for assignment.

In view there of this petition is disposed with a direction to the respondents to dispose of the representations given by the petitioner on 28.05.2004 and 03.02.2003 on merits as per the Rules in force, as expeditiously as possible, at any rate within six weeks from the date of receipt of a copy of this order. Meanwhile, both parties shall maintain status quo as on today till disposal of the said representations. No costs.

Dated: 15.02.2005

Note:

Issue CC in three days

B/o

Dsr

ASSISTANT REGISTRAR

To:

1. The District Collector,
Visakhapatnam

2. The Mandal Revenue Officer,
Chinakadiri Rural Mandal,
Visakhapatnam District

3. Two CCs to the Government Pleader
for Revenue, High Court Buildings,
Hyderabad (OUT)

4. Two CD copies

Form-NIC-OGS/WP{GR}